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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/723,156	11/27/2000	Kai-Uwe Ritter	7	6032

7590

03/12/2004

Docket Administrator (Rm 3C-512)
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EXAMINER

ORGAD, EDAN

ART UNIT

PAPER NUMBER

2684

DATE MAILED: 03/12/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/723,156

Applicant(s)

RITTER, KAI-UWE

Examiner

Edan Orgad

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 November 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-19 is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-14 and 17 is/are rejected.
- 7) ☒ Claim(s) 5-7 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: pages 12-14 are not in proper sequence. Claims 7-15 do not have a page number on them. Appropriate correction of renumbering of pages in application is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 8-12, 14 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Ciccarelli (WO 99/45654).

Regarding claim 1, Ciccarelli teaches an apparatus for receiving electromagnetic signals, comprising: an antenna (element 40), a selection device for definition of predetermined frequency ranges (pg. 10, lines 10-19), with the selection device being associated with the antenna, a frequency converter (element 12) by means of which the frequency of the received signals can be converted to an intermediate frequency and which is associated with the selection device, a device which provides reference frequency and is associated with the frequency converter, an assembly which is associated with the frequency converter, the assembly comprises

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a first frequency filter, which defines a first and a second frequency range, and a receiving device which is associated with the assembly (see abstract, pg. 7, line 24- pg.11, line 5).

Regarding claim 2, Ciccarelli teaches the first frequency filter comprises a first and a second filter, with which the first and the second frequency range, respectively, are associated (elements 10 & 12).

Regarding claim 3, Ciccarelli teaches the first and/or second filter are band-pass filters (pg. 7, lines 29-30).

Regarding claim 4, Ciccarelli in which the first frequency range is matched to the intermediate frequency (pg. 9, line 33- pg. 10, line 9).

Regarding claim 8, Ciccarelli teaches the selection device comprises a second frequency filter, which is preferably defined by a third and a fourth filter and which preferably comprises a first switch (pg. 11, lines 17-22).

Regarding claim 9, Ciccarelli teaches the third and the fourth filter are associated with a reception and transmission band, respectively, preferably in accordance with GSM Standard (pg. 7, lines 14-23).

Regarding claim 10, Ciccarelli teaches the selection device comprises a band-pass filter and/or a high-pass filter and/or a low-pass filter (pg. 7, lines 29-30).

Regarding claim 11, Ciccarelli teaches the device which provides a reference frequency comprises an oscillator and/or a PLL stabilization device (element 36).

Regarding claim 12, Ciccarelli teaches an amplifier between the selection device and the frequency converter, and/or an amplifier between the frequency converter and the assembly (element 5).

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Regarding claim 14, Ciccarelli teaches the assembly comprises a second switch (element 29).

Regarding claim 15, Ciccarelli teaches a first and a second connection of the second switch are associated with the first and the second filter, respectively, and a third connection of the second switch is associated with the receiving device, so that the receiving device is connected to the first filter when the second switch is in a first state, and the receiving device is connected to the second filter when the second switch is in a second state (pg. 8, lines 14-35).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13 & 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ciccarelli (WO 99/45654).

Regarding claims 13 & 16, Ciccarelli fails to specifically disclose a field strength meter for the received signals, which is associated with the receiving device. However, official notice is taken that a field strength meter for the received signals is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a field strength meter for the received signals in order to show whether or not something is being transmitted and indicates any changes in power output or antenna design.

Allowable Subject Matter

Claims 5-7, 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 5, the prior art of record fails to specifically disclose the second frequency range is matched to the difference between the intermediate frequency and the separation between the associated transmission and reception channels.

Regarding claim 6, the prior art of record fails to specifically disclose the width of the second frequency range is matched such that three channels are covered at the same time.

Regarding claim 7, the prior art of record fails to specifically disclose the intermediate frequency is essentially equal to the separation between two associated transmission and reception channels.

Claims 16-19 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claim 17, the prior art of record fails to specifically disclose a first switch is switched from a first state, in which a receiving apparatus receives electromagnetic signals via a third and a first filter, to a second state, in which a field strength meter receives signals via a fourth and a second filter, and after a predetermined time, is switched back from the second state to the first state without the onward switching and/or backward switching, changing a reference frequency for converting the signals to an intermediate frequency in a defined manner.

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Regarding claim 18, the prior art of record fails to specifically disclose a first and a second switch are each switched, essentially at the same time, from a first state, in which a receiving apparatus receives electromagnetic signals via a third and a first filter, to a second state, in which the receiving apparatus receives signals via a fourth and a second filter, and after a predetermined time, are in each case switched back from the second state to the first state, essentially at the same time, without the onward switching and/or backward switching, changing a reference frequency for converting the signals to an intermediate frequency in a defined manner.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,359,940 Method and apparatus for down-converting signals transmitted using a plurality of modulation formats to a common intermediate frequency range.

US 6,072,996 Dual band radio receiver.

US 6,069,923 Method and a circuit arrangement for the processing of received signals in a telecommunication system.

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US 5,471,652 Frequency synthesizer and multiplier circuit arrangement for a radio telephone.

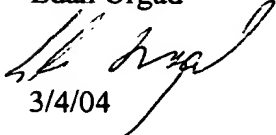
US 5,982,819 Modulation format adaptive messaging receiver.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edan Orgad whose telephone number is 703-305-4223. The examiner can normally be reached on 8:00AM to 5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on 703-305-4223. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Edan Orgad



3/4/04



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SUPERVISORY PATENT EXAMINER